

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>SANSON COMPANY,</b>	)	<b>CASE NO. 1:09CV791</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE CHRISTOPHER A. BOYKO</b>
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>ARACA FOODS, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**CHRISTOPHER A. BOYKO, J.:**

This matter came before the Court upon a Telephone Conference conducted on May 12, 2009 at 2:00 p.m. After a brief discussion with counsel for the named parties and counsel for non-party, Huntington Bank, the Court concludes there is a dispute over the creation, preservation and priority status of the PACA trust. Further, the joinder of another party or parties may be necessary for fair and complete adjudication.

Plaintiff is granted leave to file an Amended Complaint on or before May 19, 2009. Any pending motions for injunctive relief are denied as moot. (ECF DKT #8). Answers shall be due, pursuant to the Federal Rules of Civil Procedure, after service of the Amended Complaint.

**IT IS SO ORDERED.**

**DATE: May 13, 2009**

S/Christopher A. Boyko  
**CHRISTOPHER A. BOYKO**  
**United States District Judge**